



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3020119

Applicant Name: Ron Wright, Ron Wright & Associates Architecture

Address of Proposal: 1716 2nd Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to change a 4,765 square foot portion of an institution (All Saints Church) to a child care center for 37 children. Project includes parking for 13 vehicles.

The following approvals are required:

Administrative Conditional Use - To allow a child care center in an institution in a single family zone (SMC Chapter 23.44.022).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

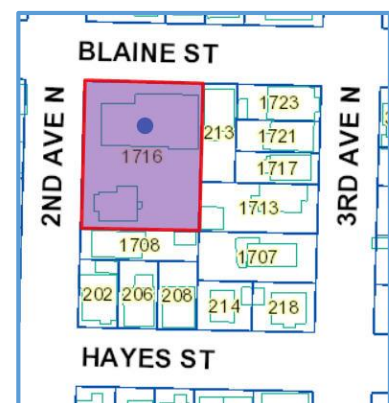
☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description:

The site, zoned Single Family (SF 5000), is located in the Queen Anne neighborhood of Seattle. Single Family zoning extends in all directions. The rectangular lot is approximately 18,000 square feet. There is a church and parsonage building on the lot with parking accessed off of 2nd Avenue North. There is no alley in this block. Surrounding development is a mix of lowrise apartment buildings and single family residences. There are no mapped Environmentally Critical Areas on the site.



Public Comment

Public comment letters were received during the official public comment period which ended on September 23, 2015. Several comment letters focused on the size of the proposed day care, (the number of children planned to be attending the childcare), parking and traffic concerns and noise concerns.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

The Seattle Land Use Code (SMC 23.44.022.A) provides that institutions such as community centers, child care centers, private schools, religious facilities, public or private libraries, and existing institutes for advanced study or other similar institutions may be permitted as conditional uses in single family zones. Sections 23.44.022 D through M sets forth criteria to be used to evaluate and/ or condition the proposal. The applicable criteria are discussed below.

D. General Provisions

New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.

This is an existing institution and no building expansion is proposed with this application.

E. Dispersion

The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.

The institution is a child care center locating in a legally established institution.

F. Demolition of Residential Structures.

No residential structure shall be demolished nor shall its use be changed to provide for parking.

The proposed work does not include demolition of any residential structures.

G. Reuse of Existing Structures.

Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures which do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

The existing structures are already established institutional uses.

H. Noise and Odors

For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other

noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.

In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures.

The proposed work is to add a new use in an existing space. There may be additional noise during class recess and outdoor time, but it should only impact the neighborhood intermittently during the school day. The proposed outdoor play area is located on the southern portion of the existing church, interior to the site. To mitigate potential noise impacts from the outdoor play area a six foot solid fence and landscape screening will be required along a portion of the east property line. Additionally a play area fence will be installed.

There may be temporary construction noise while the building basement is remodeled. These noise levels will be regulated by the City Noise Ordinance. No odor impacts are anticipated to occur as a result of this proposal.

I. Landscaping.

Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, reduce the coverage of the site by impervious surfaces, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.

Alterations to the landscaping or building exterior include a fenced play area, new property line fence for a portion of the east property line and landscape screening. Fencing will be installed around the playground area per Washington Department of Early Learning daycare center requirements.

J. Light and Glare

Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area and intensity of illumination, the location or angle of illumination be limited.

No additional exterior lighting is planned for this daytime use.

K. Bulk and Siting

Lot Area: If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:

- a. For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*
- b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential*

The site is less than one acre in size, therefore criteria a. and b. are not applicable.

Yards: Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5 ft.) after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.

No changes to the existing yards are proposed.

Institutions Located on Lots in More Than One (1) Zone Classification: For lots which include more than one (1) zone classification, single-family zone provisions shall apply only to the single-family-zoned lot area involved.

The subject site is located within one zone classification.

Height: Religious symbols for religious institutions may extend an additional twenty-five (25') above the height limit.

According to the submitted review materials, no changes to religious symbol or height are proposed.

For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be thirty-five (35) feet if portions of the structure above thirty-five (35) feet are set back at least twenty (20) feet from all property lines. Pitched roofs on a gymnasium or auditorium which have a slope of not less than three to twelve (3:12) may extend ten (10) feet above the thirty-five (35) foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the thirty-five (35) foot height limit under this provision.

No changes to the building envelope are proposed.

Façade Scale: If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.

No changes to the building envelope are proposed.

L. Parking and Loading Berth Requirements

c.) SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:

- i. Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*

- ii. *Not cause undue traffic through residential streets nor create a serious safety hazard.*

The current land use code parking requirements require onsite parking, some of which must be accessible parking stalls. The code required parking is calculated on the square footage of the auditoria or public assemble space for the religious facility and the number of children or staff whichever is higher, for the child care center. The land use code has provisions for shared parking for day time and night uses and weekday and weekend uses. Parking calculations are listed on the plan sets and described below.

The existing parking is not striped and accommodates approximately 13 parking spaces with 1 designated as accessible parking. The proposed parking is 13 total parking spaces including two (2) load and unload spaces. The allocation of parking spaces is calculated according to use. Daytime use (child care center) is 7 spaces plus 2 load/unload space and (religious facility) 4 parking spaces for staff. Nighttime and Sunday use (for religious facility) is 13 spaces plus 1 aisle for disabled access. Because these activities occur during different times of the day and week, both child care center and church activities qualify for “shared use” of all 13 parking spaces. SMC 23.54.015L states that existing parking deficits are allowed to be brought forward and calculated into the new calculations. The existing assembly requires 42 spaces, but has 13 spaces giving a 29 space deficit. That deficit remains in place and parking is satisfied with the existing 13 parking spaces.

M. Transportation Plan

A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.

No transportation plan is required for this proposal. The applicant has provided information in the project file on how they will communicate transportation information, bus schedules, carpools, etc. to workers and clients.

Conditional Use (23.44.018) General Provisions

- C. *A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The Department recognizes the public benefit achieved by providing convenient private schools in single family zones, but establishes the conditional use process as a mechanism for the screening and mitigation of likely impacts related to the uses. Based on the proposed design, scale, and location, the proposal as conditioned is determined to not be detrimental to the public welfare nor injurious to the properties in the vicinity.

- D. *In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.*

Mitigation is necessary to add additional screening at a portion of the east property line. A six foot solid fence along a portion of the east property line and landscape screening at the same location will be a condition of this decision.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **CONDITIONALLY APPROVED.**

The proposal is consistent with Administrative Conditional Use criteria and the Land Use Policies which allow this type of use to be expanded in single family zones.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

Life of the Project

1. A solid, six foot fence and screening landscaping to reach at least 6 feet height at maturity shall be installed along a portion of the east property line as shown on the plan documents.

Holly J. Godard, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: April 7, 2016

HJG:rgc
3020119.docx

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.